

Receipt date: 07/14/2006

Express Mail Label No. EV 336 058 045 US

10/586266

10/586266 - GAU: 3679
Attorney Docket No. 59662-8006.US01

IAP11 Rec'd PCT/PTO 14 JUL 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ROMOLO LORENZO BERTANI
APPLICATION NO.: UNKNOWN
FILED: CONCURRENTLY HEREWITH
FOR: MULTIDIRECTIONAL TRANSMISSION

EXAMINER: UNKNOWN
ART UNIT: UNKNOWN
CONF. NO: UNKNOWN
ATTORNEY DOCKET NO.
59662-8006.US01

**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☐ All cited references
- ☐ References marked by asterisks
- ☒ The following: Reference Nos. 3-7

☐ Copies of the following references can be found in parent U.S. Application No. _____:

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☒ This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).

☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority

Receipt date: 07/14/2006

Express Mail Label No. EV 336 058 045 US

10/586266

10586266 - GAU: 3679

Attorney Docket No. 59662-8006.US01

IAP11 Rec'd PCT/PTO 14 JUL 2006

citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references
- ☐ References marked by ampersands
- ☐ The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

☒ Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):

- ☒ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in

Receipt date: 07/14/2006

Express Mail Label No. EV 336 058 045 US

10/586266

10586266 - GAU: 3679

Attorney Docket No. 59662-8006.US01

IAP11 Rec'd PCT/PTO 14 JUL 2006

37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement.
37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date: July 14, 2006



Brian R. Coleman
Registration No. 45,139

Correspondence Address:

Customer No. 22918
Perkins Coie LLP
P.O. Box 2168
Menlo Park, California 94026
(650) 838-4300

Receipt date: 07/14/2006

10/586266

10/586266 - GAU: 3679

INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary)				Application Number		Not Assigned
				Confirmation Number		Not Assigned
				Filing Date		Herewith
				First Named Inventor		Romolo Lorenzo BERTANI
				Group Art Unit		Not Assigned
				Examiner Name		Not Assigned
Sheet	1	of	1	Attorney Docket No.		59662-8006.US01

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1	5,871,488		Tovey et al.	02/16/1999	
	2	2003/0233107		Gellman et al.	12/18/2003	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
	3	WO	96/09796		Laurus Medical Corporation	04/04/1996		
	4	WO	96/39948		Smith & Nephew Endoscopy, Inc.	12/19/1996		
	5	WO	98/43545		Smith & Nephew Endoscopy, Inc.	10/08/1998		
	6	EP	0 567 130 A1		U.S. Surgical Corporation	04/22/1993		
	7	JP	08117239 A		Terumo Corp.	05/14/1996		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.		T

EXAMINER	/Gregory Binda/	DATE CONSIDERED	05/28/2009
----------	-----------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).

BY061950.048

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /GB/